

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE HERALD, PRIMEO, AND THEMA FUNDS
SECURITIES LITIGATION

ECF Case

Case No. 09 Civ. 0289 (RMB)

THIS DOCUMENT RELATES TO:

Case No. 09 Civ. 2558 (RMB)

NEVILLE SEYMOUR DAVIS,

Plaintiff,

vs.

ALBERTO BENBASSAT, STÉPHANE
BENBASSAT, GENEVALOR, BENBASSAT &
CIE, GERALD J.P. BRADY, JOHN HOLLIWELL,
SONJA KOHN, DANIEL MORRISSEY, PETER
SCHEITHAUER, DAVID T. SMITH, WERNER
TRIPOINT, BANK MEDICI AG, UNICREDIT SPA,
HSBC INSTITUTIONAL TRUST SERVICES
(IRELAND) LTD., HSBC SECURITIES SERVICES
(IRELAND) LTD., HSBC HOLDINGS PLC,
PRICEWATERHOUSECOOPERS
INTERNATIONAL LTD.,
PRICEWATERHOUSECOOPERS (DUBLIN),
PRICEWATERHOUSECOOPERS LLP,
PRICEWATERHOUSECOOPERS BERMUDA,
THEMA ASSET MANAGEMENT LIMITED,
THEMA INTERNATIONAL FUND PLC, BA
WORLDWIDE FUND MANAGEMENT LIMITED,
PETER MADOFF, ANDREW MADOFF, MARK
MADOFF, WILLIAM FRY, JP MORGAN CHASE
& CO., and THE BANK OF NEW YORK
MELLON,

Defendants.

As Amended
(sup3)
USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/12/10

STIPULATION EXTENDING TIME FOR DEFENDANTS
~~PRICEWATERHOUSECOOPERS INTERNATIONAL LTD. AND~~
~~PRICEWATERHOUSECOOPERS LLP~~ TO RESPOND TO
THE AMENDED CLASS ACTION COMPLAINT

All

RMB

Lead Plaintiff Neville Seymour Davis enters into this stipulation with Defendants PricewaterhouseCoopers International Ltd. ("PwCIL") and PricewaterhouseCoopers LLP ("PwC US"):

1. Through their respective counsel, the PwCIL and PwC US have (a) accepted, or waived, service of summons; and (b) received a copy of the Amended Class Action Complaint (Dkt. No. 76) (the "Amended Complaint") on or before March 1, 2010.

2. Lead Plaintiff, PwCIL and PwC US, through their respective counsel, have agreed that the time for PwCIL and PwC US to answer or move to dismiss the Amended Complaint is extended to May 26, 2010, without prejudice to further extensions of time either agreed by Lead Plaintiff's counsel or ordered by the Court. *All Motions to follow Court's rules*
Defenses motions to be joint.

3. ~~That PwCIL and/or PwC US move to dismiss on or before May 26, 2010, RMB~~
~~Lead Plaintiff's brief in opposition shall be filed and heard on or before July 5, 2010, and PwCIL~~
~~and PwC US will each file any reply brief in support of its respective motion to dismiss~~
~~before August 1, 2010.~~

4. In entering into this Stipulation, the parties hereto reserve all rights and defenses otherwise available to them, including the right to move to amend, or seek relief from, this Order. Moreover, entry into this stipulation shall not impair or otherwise affect any defenses, except with respect to a defense based on a lack of personal jurisdiction (which respective counsel for PwCIL and PwC US have indicated that they do not intend to raise before this Court), and all such rights and defenses are expressly preserved.

5. The foregoing briefing schedules are subject to Court approval.

6. This stipulation may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one stipulation.

Dated: San Diego, California
March 10, 2010

JOHNSON BOTTINI, LLP
Francis A. Bottini, Jr.
Albert Y. Chang

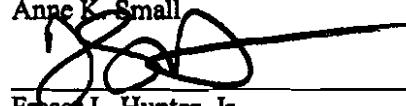


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Lead Counsel for Plaintiff and the Class

Dated: New York, New York
March 10, 2010

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Dated: New York, New York
March 10, 2010

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SO ORDERED:
RMB
RICHARD M. BERMAN U.S.D.J.

3/12/10